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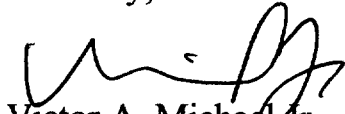
December 21, 1998

Magalie Roman Salas, Esquire  
Secretary  
Federal Communications Commission  
Room 222  
445 12th Street, S.W.  
Washington, DC 20554

Dear Ms. Salas,

Enclosed is an original and four copies of a Petition for Rule Making to amend the FM table of allotments for a new FM broadcast station for Rye, Colorado.

Sincerely,



Victor A. Michael Jr.  
President  
Mountain West Broadcasting  
6807 Foxglove Drive  
Cheyenne, Wyoming 82009

307-778-9318

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ORIGINAL

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

In the matter of: )  
 )  
Amendment of Section 73.202 (b) )  
 ) RM-\_\_\_\_\_  
Table of Allotments )  
 )  
FM Broadcast Stations )  
 )  
(Rye, Colorado)

**PETITION FOR RULE MAKING**

In this petition, Mountain West Broadcasting is hereby requesting to allot channel 285A (104.9 Mhz) to Rye, Colorado as its first local FM allotment.

**INTRODUCTION**

1. This statement is a petition for rule making to allot FM channel 285A (104.9 Mhz) to Rye and add it to the Commission's FM table of allotments, 73.202. The following will show the need for an FM channel and the effects the allotment of Channel 285A to Rye will have.

**DISCUSSION**

2. Rye is located in south central Colorado. It is also located within Pueblo County, a county of some 123,051 persons. Rye has a population of 168 persons in accordance with the U.S. 1990 census.

3. The allotment of channel 285A to Rye will provide the first local broadcast facility to the community and/or the surrounding area. The closest FM allotment to Rye is located at Pueblo, Colorado. Pueblo is located 45 kilometers from Rye.

It is obvious that from the above spacing that Rye is presently without local FM service.

4. Rye would greatly benefit from an FM allotment due to the fact there is no AM or FM broadcast facilities within 45 Kilometers of Rye. Because of this, it would have an outlet for local self expression. Health and safety for the community would be increased due to having a local communications outlet for warning the Rye area of emergency conditions caused by severe weather or other health hazards.

5. Channel 285A can be allotted to Rye and meet all rules and requirements of the Commission. The instant proposal will not cause a change in the channel number or a deletion of any channel now appearing in the Commission's table of allotments 73.202.

	<u>Present</u>	<u>Proposed</u>
Rye, Colorado	-----	285A

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 285A and the pertinent adjacent channels to 285A have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing

Study ( N 37 - 55' - 18", W. 104 - 55' - 48") are that of a site located within the community of Rye. No site restriction will be required to allot channel 285A to Rye. Many suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Rye. These sites would also provide full minimum spacing requirements to other allotments.

### CONCLUSION

7. It has been shown that Rye would benefit from the allotment of channel 285A. It has also been shown that channel 285A can be allotted to Rye and meet all rules regarding spacing from other stations. Considering these two facts, Mountain West Broadcasting hereby requests that the Federal Communications Commission institute a Rule Making proceeding to amend the Table of Allotments to include channel 285A for Rye, Colorado , 73.202.

8. Should channel 285A be allotted to Rye, I certify that I will file an application for a Construction Permit to operate an FM station for Rye, Colorado.

## CERTIFICATION

9. I certify that I have prepared or directly supervised the preparation of this entire Petition for Rule Making, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: December 21, 1998

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'V. Michael Jr.', with a stylized flourish at the end.

Victor A. Michael Jr.  
President  
Mountain West Broadcasting  
6807 Foxglove Drive  
Cheyenne, WY 82009

307-778-9318

MAPFM search of channel 285A6 (104.9 MHz), at N. 37 55 18, W. 104 55 48.

Searching Channel 285A6 (104.9 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Colorado Springs	CO	232	C	U	91.6	28.0	3.7°	63.6
KILO	Colorado Springs	CO	232	C	L	91.6	28.0	3.7°	63.6
ALC	Canon City	CO	283	A	U	64.1	31.0	324.7°	33.1
KSTY	Canon City	CO	283	A	C	50.1	31.0	330.5°	19.1
KYZX	Pueblo	CO	283	C2	L	76.2	55.0	22.4°	21.2
ALC	Calhan	CO	284	A	V	136.0	72.0	25.4°	64.0
ALC	Telluride	CO	285	C1	V	260.4	200.0	272.3°	60.4
K285EE	Canon City	CO	285	D	L	58.8	0.0	340.8°	58.8
KRYD	Telluride	CO	285	C1	A	266.6	200.0	271.8°	66.6
ALC	Denver	CO	286	C	U	187.9	165.0	352.6°	22.9
KXKLFM	Denver	CO	286	C	L	187.9	165.0	352.6°	22.9
ALC	Security	CO	288	C3	U	91.5	42.0	3.8°	49.5
KSKX	Security	CO	288	C3	L	91.5	42.0	3.8°	49.5

FIGURE 1  
CHANNEL SPACING STUDY  
RYE, COLORADO  
MOUNTAIN WEST BROADCASTING